

ASSEMBLY BILL

No. 1451

Introduced by Assembly Member Holden

January 8, 2014

An act to amend Section 48800 of, and to add Section 48803 to, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1451, as introduced, Holden. Concurrent enrollment in secondary school and community college.

Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time or full-time students, subject to parental permission. Existing law makes the authority of a school principal to recommend a pupil for community college summer session contingent upon a determination that the pupil meets various criteria and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately prior to the time of recommendation for summer session attendance, except as specified.

This bill would authorize the governing board of a school district to authorize a pupil, upon the recommendation from a community college dean of a career technical education department or other appropriate community college career technical education administrator, and with parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of career technical education offered at the community college.

This bill also would authorize the governing board of a community college district to enter into a formal partnership with a school district or school districts located within its immediate service area to allow secondary school pupils to attend a community college if those pupils have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other programs offered by the governing board of the school district, and if those pupils may benefit from advanced scholastic, career-technical, or vocational courses, courses in basic skills remediation, preparation for the high school exit examination, or English as a 2nd language, and courses designed to prevent pupils from dropping out of high school.

The bill would require the partnership agreement to outline the terms of the partnership, as specified. The bill would require a community college district and a school district, as a condition of, and before adopting, a partnership agreement, to take testimony from the public and approve or disapprove the proposed partnership agreement at a regularly scheduled open public hearing of their respective governing boards. The bill would require, for each partnership entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges. The bill would prohibit a community college district from receiving a state allowance or apportionment for an instructional activity for which a school district has been, or will be, paid.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Campuses of the California Community Colleges are located
- 4 throughout California and provide an educational resource for all
- 5 communities.
- 6 (b) Existing law allows certain high school pupils to take classes
- 7 at community colleges. These pupils are known as special-admits
- 8 and the programs in which they participate are known as concurrent
- 9 enrollment programs. The main target of these programs is

1 advanced education and the work completed in them is primarily
2 defined as college-level work.

3 (c) Existing law imposes strict limits on concurrent enrollment
4 programs. Only 5 percent of the pupils in any high school class
5 may enroll in a community college during summer sessions. In
6 addition, the types of classes pupils may take pursuant to these
7 programs are generally limited to advanced education classes.

8 (d) A serious abuse of concurrent enrollment programs by a few
9 school districts and community college districts several years ago
10 resulted in statutory reform and restrictions on this type of
11 enrollment.

12 (e) The current restrictions inhibit the ability of school districts
13 and their pupils to make maximum use of community college
14 facilities and opportunities. The time has come to encourage and
15 expand these valuable programs, but with appropriate statutory
16 prohibitions to guard against a repeat of the abuses of the past.

17 (f) Allowing high school pupils to take community college
18 courses could provide benefits to pupils and to the state in
19 numerous ways, including more opportunities for advanced
20 scholastic work, career-technical partnerships and coursework,
21 basic skills remediation, preparation for the high school exit
22 examination, English as a second language, and dropout prevention.

23 (g) Exposure to college classes and the college environment
24 while in high school improves college participation rates.

25 (h) Concurrent enrollment saves money for both the state and
26 the pupils and provides for more effective use of facilities.

27 SEC. 2. Section 48800 of the Education Code is amended to
28 read:

29 48800. (a) The governing board of a school district may
30 determine which pupils would benefit from advanced scholastic
31 or vocational work. The intent of this section is to provide
32 educational enrichment opportunities for a limited number of
33 eligible pupils, rather than to reduce current course requirements
34 of elementary and secondary schools, and also to help ensure a
35 smoother transition from high school to college for pupils by
36 providing them with greater exposure to the collegiate atmosphere.
37 The governing board *of a school district* may authorize those
38 pupils, upon recommendation of the principal of the pupil's school
39 of attendance, and with parental consent, to attend a community
40 college during any session or term as special part-time or full-time

1 students and to undertake one or more courses of instruction offered
2 at the community college level.

3 (b) If the governing board *of a school district* denies a request
4 for a special part-time or full-time enrollment at a community
5 college for any session or term for a pupil who is identified as
6 highly gifted, the governing board *of the school district* shall issue
7 its written recommendation and the reasons for the denial within
8 60 days. The written recommendation and denial shall be issued
9 at the next regularly scheduled board meeting that falls at least 30
10 days after the request has been submitted.

11 (c) *The governing board of a school district may authorize a*
12 *pupil, upon the recommendation from a community college dean*
13 *of a career technical education department or other appropriate*
14 *community college career technical education administrator, and*
15 *with parental consent, to attend a community college during any*
16 *session or term as a special part-time or full-time student and to*
17 *undertake one or more courses of career technical education*
18 *offered at the community college.*

19 ~~(e)~~

20 (d) A pupil shall receive *community college and high school*
21 credit for community college courses that he or she completes at
22 the level determined appropriate by the governing boards of the
23 school district and community college district.

24 ~~(d)~~

25 (e) (1) The principal of a school may recommend a pupil for
26 community college summer session only if that pupil meets ~~all~~
27 *both* of the following criteria:

28 (A) Demonstrates adequate preparation in the discipline to be
29 studied.

30 (B) Exhausts all opportunities to enroll in an equivalent course,
31 if any, at his or her school of attendance.

32 (2) For any particular grade level, a principal shall not
33 recommend for community college summer session attendance
34 more than 5 percent of the total number of pupils who completed
35 that grade immediately ~~prior to~~ *before* the time of recommendation.

36 (3) A high school pupil recommended by his or her principal
37 for enrollment in a course shall not be included in the 5-percent
38 limitation of pupils allowed to be recommended pursuant to
39 paragraph (2) if the course in which the pupil is enrolled meets
40 one of the criterion listed in subparagraphs (A) to (C), inclusive,

1 and the high school principal who recommends the pupil for
2 enrollment provides the Chancellor of the California Community
3 Colleges, upon the request of that office, with the data required
4 for purposes of paragraph (4).

5 (A) The course is a lower division, college-level course for
6 credit that is designated as part of the Intersegmental General
7 Education Transfer Curriculum or applies toward the general
8 education breadth requirements of the California State University.

9 (B) The course is a college-level, occupational course for credit
10 assigned a priority code of “A,” “B,” or “C,” pursuant to the
11 Student Accountability Model, as defined by the Chancellor of the
12 California Community Colleges and reported in the management
13 information system, and the course is part of a sequence of
14 vocational or career technical education courses leading to a degree
15 or certificate in the subject area covered by the sequence.

16 (C) The course is necessary to assist a pupil who has not passed
17 the California High School Exit Examination (CAHSEE), does
18 not offer college credit in English language arts or mathematics,
19 and the pupil meets both of the following requirements:

20 (i) The pupil is in his or her senior year of high school.

21 (ii) The pupil has completed all other graduation requirements
22 ~~prior to~~ *before* the end of his or her senior year, or will complete
23 all remaining graduation requirements during a community college
24 summer session, which he or she is recommended to enroll in,
25 following his or her senior year of high school.

26 (4) On or before March 1 of each year, the Chancellor of the
27 California Community Colleges shall report to the Department of
28 Finance the number of pupils recommended pursuant to paragraph
29 (3) who enroll in community college summer session courses and
30 who receive a passing grade. The information in this report may
31 be submitted with the report required by subdivision (c) of Section
32 76002.

33 (5) The Board of Governors of the California Community
34 Colleges shall not include enrollment growth attributable to
35 paragraph (3) as part of its annual budget request for the California
36 Community Colleges.

37 (6) Notwithstanding Article 3 (commencing with Section 33050)
38 of Chapter 1 of Part 20 of Division 2 of Title 2, compliance with
39 this subdivision shall not be waived.

40 (e)

(f) Paragraphs (3), (4), and (5) of subdivision ~~(d)~~ (e) shall become inoperative on January 1, ~~2014~~ 2017.

SEC. 3. Section 48803 is added to the Education Code, to read:

48803. (a) (1) The governing board of a community college district may enter into a formal partnership with a school district or school districts located within its immediate service area in order to provide secondary school pupils who have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other programs offered by the governing board of the school district with the opportunity to benefit from advanced scholastic, career-technical, or vocational courses, courses in basic skills remediation, preparation for the high school exit examination, or English as a second language, and courses designed to prevent pupils from dropping out of high school. A secondary school pupil in a district subject to a formal partnership, upon notification of the principal of the pupil's school of attendance that the pupil has exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other program offered by the governing board of the school district, and with parental consent if the pupil is under 18 years of age, may attend a community college during any session or term as a special part-time or full-time student.

(2) A participating community college district shall adopt a partnership agreement with each school district partner. The partnership agreement shall be approved by the governing board of the community college district and the governing board of the school district. As a condition of, and before adopting, a partnership agreement, a community college district and a school district, at a regularly scheduled open public hearing of their respective governing boards, shall take testimony from the public and approve or disapprove the proposed partnership agreement.

(3) (A) The partnership agreement shall outline the terms of the partnership and may include, but not necessarily be limited to, the scope, nature, and schedule of courses offered, the academic readiness of pupils that is necessary for them to benefit from the courses offered, and the ability of pupils to benefit from those

1 courses. The partnership agreement may establish protocols for
2 information sharing and joint facilities use.

3 (B) The partnership agreement shall identify a point of contact
4 for the participating community college district and each school
5 district partner, and require each participating community college
6 and high school to identify a point of contact at that community
7 college and high school, respectively.

8 (C) A copy of the partnership agreement shall be filed with the
9 department and with the Office of the Chancellor of the California
10 Community Colleges before the start of a program authorized by
11 this article.

12 (4) It is the intent of the Legislature, in enacting this section, to
13 provide a smoother transition from high school to college for pupils
14 by providing them with greater exposure to the collegiate
15 atmosphere and to maximize the educational opportunities available
16 to California's secondary school pupils by encouraging programs
17 and partnerships between school districts and community college
18 districts, including advanced scholastic, vocational, and
19 career-technical coursework, summer school opportunities, and
20 dropout intervention.

21 (5) A community college district shall not provide physical
22 education course opportunities to secondary school pupils pursuant
23 to this section.

24 (6) A pupil shall receive community college and high school
25 credit for community college courses that he or she completes at
26 the level determined to be appropriate by the governing boards of
27 the school district and the community college district pursuant to
28 the partnership agreement as described in paragraph (2).

29 (b) (1) A community college district shall not receive a state
30 allowance or apportionment for an instructional activity for which
31 a school district has been, or shall be, paid an allowance or
32 apportionment.

33 (2) The attendance of a pupil at a community college as a special
34 part-time or full-time student pursuant to this section is authorized
35 attendance for which the community college shall be credited or
36 reimbursed pursuant to Section 48802 or 76002, provided that no
37 school district has received reimbursement for the same
38 instructional activity. Credit for courses completed shall be at the
39 level determined to be appropriate by the governing boards of the
40 school district and the community college district pursuant to the

1 partnership agreement as described in paragraph (2) of subdivision
2 (a).

3 (c) A participating high school may monitor the progress of its
4 pupils attending a community college under this section, and may
5 obtain the pupils' records from the community college district to
6 do so.

7 (d) For purposes of this section, a special part-time student may
8 enroll in up to, and including, 11 units per semester, or the
9 equivalent thereof, at the community college he or she attends.

10 (e) Community college districts and school districts that enter
11 into a partnership pursuant to this section shall be exempt from
12 concurrent enrollment provisions pursuant to subdivisions (a) and
13 (b) of, and paragraphs (1), (2), and (3) of subdivision (e) of, Section
14 48800, if the governing board of the community college district
15 determines that enrollment of secondary school pupils will not
16 significantly displace regularly admitted students.

17 (f) (1) For each partnership entered into pursuant to this section,
18 the affected community college district and school district shall
19 report annually to the Office of the Chancellor of the California
20 Community Colleges all of the following information:

21 (A) The total number of secondary school pupils enrolled in
22 each program, classified by the school district.

23 (B) The total number of successful course completions of
24 secondary school pupils enrolled in each program, classified by
25 the school district.

26 (C) The total number of successful course completions of
27 students in courses equivalent to those courses tracked under
28 subparagraph (B) in the general community college curriculum.

29 (2) The annual report required by this subdivision shall also be
30 transmitted to all of the following:

31 (A) The Legislature, in compliance with Section 9795 of the
32 Government Code.

33 (B) The Director of Finance.

34 (C) The Superintendent.

35 (D) The governing board of each participating community
36 college district.

37 (E) The governing board of each participating school district.

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